

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
vs.) Case No. 4:12 CR 416 RWS
)
)
DUANE MCCOY,)
)
)
Defendant.)

ORDER

This matter is before me on Defendant Duane McCoy's Objection to the Magistrate Judge's Order, Report and Recommendation.

Defendant McCoy filed a Motion to Suppress Statements and Evidence [doc. #24]. Pursuant to 28 U.S.C. § 636(b), this motion was referred to United States Magistrate Judge Terry I Adelman. Judge Adelman held an evidentiary hearing on January 30, 2013. Judge Adelman filed his Memorandum and Recommendations on February 22, 2013. Judge Adelman recommended that Defendant McCoy's Motion to Suppress Statements and Evidence [doc. #24] be denied. On March 5, 2013 Defendant McCoy filed his objection to Judge Adelman's Recommendation.

After conducting a *de novo* review of the record, the motions, the parties written submissions and the Order and Recommendation I adopt and sustain

the thorough reasoning of Judge Adelman set forth in support of his recommended rulings.

Accordingly,

IT IS HEREBY ORDERED that the Memorandum and Recommendation of the United States Magistrate Judge [doc.#30] is **SUSTAINED, ADOPTED, and INCORPORATED** herein.

IT IS FURTHER ORDERED that the Motion to Suppress Statements and Evidence of Defendant Duane McCoy [doc.#24] is **DENIED**.

IT IS FINALLY ORDERED that this matter remains set for a jury trial on **Monday, May 6, 2013 at 9:00 a.m.**



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 10th day of April, 2013.